

# **EXHIBIT 7**

**Redacted Version  
of Document Sought  
to be Sealed**

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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION  
CHASOM BROWN,  
Plaintiff, Case No.  
vs.  
4:20-cv-03664-YGR-SVK  
GOOGLE LLC,  
Defendant.  
\*\*\*\*\*  
CONFIDENTIAL  
VOLUME II  
CONTINUED ZOOM VIDEOTAPED DEPOSITION OF  
JONATHAN HOCHMAN  
July 21, 2022  
10:09 a.m.  
\*\*\*\*\*

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<p>1 APPEARANCES: (Continued)</p> <p>2 CRYSTAL NIX-HINES</p> <p>3 QUINN EMANUEL URQUHART &amp; SULLIVAN LLP</p> <p>4 865 South Figueroa Street, 10th Floor</p> <p>5 Los Angeles, California 90017</p> <p>6 crystalnixhines@quinnemanuel.com</p> <p>7 VIDEOGRAPHER:</p> <p>8 Sean Grant</p> <p>9 ALSO PRESENT:</p> <p>10 Konstantinos Psounis, Ph.D.</p> <p>11 Julie Burns</p> <p>12 John Wilson, IV - Quinn Emanuel</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p>Page 367</p>	<p>1 - - -</p> <p>2 E X H I B I T S (Continued.)</p> <p>3 - - -</p> <p>4 NO. DESCRIPTION PAGE</p> <p>5 Exhibit 25 Ad Personalization</p> <p>6 Settings.....512</p> <p>7 Exhibit 26 Expert Report of</p> <p>8 Konstantinos Psounis.....520</p> <p>9 Exhibit 29 Document Bates numbered</p> <p>10 GOOG-BRWN-00630517.....558</p> <p>11 Exhibit 30 Document Bates numbered</p> <p>12 GOOG-CABR03923580.....561</p> <p>13 Exhibit 31 Document Bates numbered</p> <p>14 GOOG-CABR-00894408.....567</p> <p>15 Exhibit 32 PII document.....568</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p>Page 369</p>

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1	- - -	1	Veritext. I'm the videographer. And	10:09:57
2	DEPOSITION SUPPORT INDEX	2	the court reporter is Belle Vivienne,	10:09:59
3	- - -	3	also from Veritext.	10:10:01
4		4	Please note that the witness has	10:10:03
5	Directions to Witness Not to Answer	5	been previously sworn in. Counsel,	10:10:05
6	Page Line	6	you may proceed.	10:10:08
7	none	7	JONATHAN HOCHMAN,	10:10:08
8		8	having been previously duly sworn by the	10:10:08
9		9	Certified Stenographic Realtime Reporter,	10:10:08
10	Request for Production of Documents	10	testified as follows:	10:10:08
11	Page Line	11	EXAMINATION	10:10:10
12	none	12	BY MR. ANSORGE:	10:10:10
13		13	Q. Good morning, Mr. Hochman, how	10:10:10
14		14	are you doing today?	10:10:12
15	Stipulations	15	A. So far, so good.	10:10:13
16	Page Line	16	Q. Do you recall yesterday we were	10:10:15
17	none	17	discussing your opinion 14 that relates to	10:10:17
18		18	private browsing information being used to	10:10:21
19		19	measure and model conversions?	10:10:23
20	Question Marked	20	A. Yes, I did have a chance to look	10:10:25
21	Page Line	21	over the rough transcript, and I saw	10:10:30
22	none	22	that's where we ended. And by the way, as	10:10:32
23		23	I was looking over the rough transcript,	10:10:34
24		24	it reminded me of something that I would	10:10:37
25		25	like to tell you if -- if you're	10:10:40
Page 370		Page 372		
1	THE VIDEOGRAPHER: Good morning.	1	interested.	10:10:43
2	We're going on the record at	2	Q. How long do you expect it to	10:10:44
3	10:09 a.m. The date is July 21, 2022.	3	take?	10:10:46
4	Please note that this deposition is	4	A. One minute.	10:10:47
5	being conducted virtually. Quality of	5	Q. Let's do it, Mr. Hochman, one	10:10:48
6	recording depends on the quality of	6	minute.	10:10:50
7	camera and Internet connection of	7	A. Okay. I mentioned that I hadn't	10:10:51
8	participants. What is seen from the	8	prepared a rebuttal report to	10:10:53
9	witness and heard on screen is what	9	Mr. Psounis -- Dr. Psounis --	10:10:55
10	will be recorded. Audio and video	10	Professor Psounis, I'm sorry -- whatever	10:10:59
11	recording will continue to take place	11	the case may be.	10:11:02
12	unless all parties agree to go off the	12	And that's because procedurally,	10:11:05
13	record.	13	he -- his report came in as a rebuttal	10:11:08
14	This is media unit number 1 of	14	and -- and, therefore, I did not have an	10:11:12
15	the video recorded deposition of	15	opportunity to write a rebuttal to him. I	10:11:14
16	Jonathan Hochman, volume 2, taken by	16	did not want to imply that I agree with or	10:11:16
17	counsel for defendant in the matter of	17	concede any of the points in his report.	10:11:19
18	Chasom Brown, et al., v Google LLC,	18	In fact, I disagree with all of	10:11:20
19	filed in the United States District	19	his opinions that relate to my work, and I	10:11:23
20	Court, Northern District of	20	just wanted to be clear on that and also	10:11:28
21	California, Oakland Division. Case	21	give you the chance, you know, today to	10:11:30
22	No. 4:20-cv-03664-YGR-SVK. It is	22	ask me any questions about that should you	10:11:33
23	being conducted remotely using virtual	23	wish to.	10:11:35
24	technology.	24	Q. Yeah, thank you, Mr. Hochman.	10:11:37
25	My name is Sean Grant from	25	We didn't understand you to be agreeing	10:11:38
Page 371		Page 373		

## CONFIDENTIAL

1 around if you don't mind. 14:58:39	1 BY MR. ANSORGE:: 15:04:45
2 Q. Let's just finish the 14:58:40	2 Q. Will you please turn back to 15:04:45
3 questioning on this one document, 14:58:42	3 Exhibit 1, which is your opening report in 15:04:46
4 Mr. Hochman, and then we'll take a break. 14:58:43	4 this matter -- 15:04:48
5 A. Sure. Okay. I'm going to 14:58:46	5 MR. MAO: No, we're taking a 15:04:49
6 download it so I can read it very clearly. 14:58:50	6 break. 15:04:51
7 MR. MAO: He wants to know if 14:58:55	7 BY MR. ANSORGE:: 15:04:51
8 it's one or two employees. Just go 14:58:56	8 Q. We marked it yesterday. 15:04:52
9 ahead, do that, and then we'll go on 14:58:59	9 MR. MAO: We're taking a break. 15:04:53
10 break. Thank you. 14:59:01	10 MR. ANSORGE: We will do one 15:04:53
11 A. Okay. I'm going to read this. 14:59:07	11 more, and then we will take a break. 15:04:56
12 Give me a moment. I'm actually going to 14:59:09	12 We've been under your -- 15:04:56
13 read it from the bottom so it's in 15:00:21	13 MR. MAO: No, we're not. 15:04:56
14 chronological order. Give me another 15:00:24	14 MR. ANSORGE -- control quite a 15:04:57
15 moment. 15:00:26	15 bit today, Mr. Mao. So this is my 15:04:58
16 Q. It's going to be a very short 15:01:33	16 deposition -- 15:05:00
17 and simple question, Mr. Hochman. 15:01:34	17 MR. MAO: We are going off the 15:05:00
18 A. Just a second, though, because I 15:01:42	18 record. 15:05:00
19 find this tremendously interesting. Just 15:01:43	19 MR. ANSORGE: And we are going 15:05:00
20 a minute. 15:01:46	20 to do one more. 15:05:00
21 Okay. Go ahead. 15:03:01	21 THE WITNESS: May I request a 15:05:00
22 Q. Is this a document that you were 15:03:02	22 break also? I would like a break as 15:05:02
23 citing? 15:03:03	23 the deponent. It would help me stay 15:05:04
24 A. Now I got to go back and look. 15:03:05	24 focused. 15:05:06
25 3929580? Okay. Go ahead. 15:03:08	25 MR. MAO: You're entitled to 15:05:06
Page 562	Page 564
1 Q. How many people stated that "The 15:03:49	1 that. Ten minutes. Thank you. 15:05:07
2 blame for people's misconceptions about 15:03:52	2 MR. ANSORGE: No. I'm sorry. 15:05:12
3 Incognito Mode is due to that name and 15:03:54	3 The -- this is going to be short. 15:05:13
4 branding"? 15:03:56	4 We've gone through a lot, and I want 15:05:15
5 A. Chris Palmer stated that and the 15:03:58	5 to close out this module so that we 15:05:18
6 others on the thread seemed to have 15:04:00	6 can take a break and come back with 15:05:20
7 accepted it. Nobody seems to have refuted 15:04:02	7 something different. 15:05:22
8 that. 15:04:05	8 Mr. Hochman, could you please 15:05:23
9 Q. We'll do one more document, and 15:04:06	9 indulge me -- 15:05:25
10 then we'll have a break. 15:04:09	10 MR. MAO: Wait. Stop. Stop, 15:05:26
11 MR. MAO: No, I'm going to do 15:04:10	11 stop, stop, please. Okay. You said 15:05:27
12 all of us a favor and take a break, 15:04:11	12 one question. Okay? Is this really 15:05:29
13 ten minutes, and then we'll go to the 15:04:15	13 one question? 15:05:30
14 end, please. 15:04:18	14 MR. ANSORGE: It's going to be 15:05:31
15 A. Can I -- actually, before we do 15:04:18	15 one. It will take, of course -- it 15:05:32
16 the break, I just wanted to maybe -- I saw 15:04:18	16 might take identifying the document, 15:05:34
17 something in here that I want to comment 15:04:21	17 but it should be -- it won't require 15:05:36
18 on. Just give me one second. 15:04:23	18 studying the entire document and it's 15:05:39
19 I see here something interesting 15:04:31	19 clear -- 15:05:40
20 that I would like to -- 15:04:33	20 MR. MAO: No, we're taking a 15:05:40
21 MR. ANSORGE: Yeah. So there's 15:04:35	21 break. 15:05:40
22 no question pending currently, 15:04:37	22 (Reporter clarification.) 15:05:42
23 Mr. Hochman, and we're short on time. 15:04:39	23 MR. ANSORGE: -- what we are 15:05:42
24 THE WITNESS: Okay. I'll let it 15:04:41	24 asking about? 15:05:47
25 go then. That's fine. 15:04:42	25 MS. NIX-HINES: Let's go off the 15:05:47
Page 563	Page 565

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1 record, please. 15:05:48	1 and that Privacy Policy must provide 15:18:59
2 MR. MAO: Thank you. 15:05:48	2 notice of your use of cookies, identifiers 15:19:02
3 MR. ANSORGE: Now, to resolve 15:05:49	3 for mobile devices...(Android Advertising 15:19:05
4 this, not to eat up our time -- 15:05:50	4 Identifier or Advertising Identifier for 15:19:08
5 THE VIDEOGRAPHER: Counsel, I 15:05:52	5 iOS) or similar technology used to collect 15:19:10
6 need -- I need both parties to agree. 15:05:52	6 data"? 15:19:12
7 MR. ANSORGE: Yeah, we can go 15:05:55	7 Did I read that correctly? 15:19:13
8 off the record. 15:05:57	8 A. Yes. 15:19:15
9 THE VIDEOGRAPHER: Going off the 15:05:57	9 Q. Does this look like the same 15:19:29
10 record. The time is 3:06 p m. 15:05:58	10 statements that we were discussing 15:19:31
11 (Whereupon, a brief recess is 15:16:43	11 yesterday, Mr. Hochman? 15:19:32
12 taken.) 15:16:43	12 A. At least it looks similar. I 15:19:37
13 THE VIDEOGRAPHER: Back on the 15:16:43	13 can't verify that it's the same, not 15:19:39
14 record. The time is 3:17 p m. 15:17:06	14 without comparing the two more closely. 15:19:43
15 BY MR. ANSORGE:: 15:17:09	15 Q. I'm going to load another 15:19:46
16 Q. Mr. Hochman, do you recall 15:17:10	16 exhibit for you. And this should be 15:19:50
17 yesterday answering some questions about 15:17:11	17 Exhibit 32. Please let me know once you 15:19:52
18 Exhibit 10, which was entered yesterday 15:17:14	18 have it. 15:19:55
19 and was a copy of Google Analytics' terms 15:17:16	19 (Exhibit 32, PII document, 15:19:55
20 of service that were pulled from the web; 15:17:19	20 marked for identification.) 15:19:56
21 do you recall that? 15:17:21	21 BY MR. ANSORGE:: 15:19:56
22 A. I think I do. I'm going to take 15:17:24	22 Q. Do you recall yesterday -- 15:20:22
23 a look at that exhibit. Okay. Yes, I 15:17:26	23 MR. MAO: Sorry, sorry. I 15:20:23
24 remember that. 15:17:36	24 think -- Witness, I think you're going 15:20:25
25 Q. Could you look to Exhibit 31, 15:17:37	25 to need to download this. It's highly 15:20:26
Page 566	Page 568
1 please? It should be loaded now. It's 15:17:46	1 pixilated. 15:20:29
2 Bates designation GOOG-CABR-00894408. 15:17:48	2 THE WITNESS: I've already 15:20:31
3 (Exhibit 31, Document Bates 15:17:57	3 downloaded and brought it up. 15:20:32
4 numbered GOOG-CABR-00894408, marked 15:17:57	4 MR. MAO: Please go ahead, 15:20:33
5 for identification.) 15:17:57	5 Mr. Ansorge. 15:20:34
6 BY MR. ANSORGE:: 15:17:57	6 BY MR. ANSORGE:: 15:20:35
7 Q. And I'm loading this document 15:17:58	7 Q. Mr. Hochman, do you recall 15:20:36
8 because yesterday your counsel had 15:18:00	8 yesterday we were discussing a document 15:20:37
9 concerns about Exhibit 10 not having a 15:18:02	9 entitled Understanding PII in Google's 15:20:38
10 Bates number. 15:18:04	10 Contracts and Policies? 15:20:42
11 A. Okay. 15:18:09	11 A. I think so. 15:20:47
12 Q. If you turn to Exhibit 31, you 15:18:14	12 Q. Do you recall your counsel had 15:20:48
13 see passage 7. Privacy, which is ending 15:18:19	13 some concerns about the document not being 15:20:49
14 with the Bates designation 411. 15:18:24	14 Bates stamped? 15:20:50
15 A. Okay. I'm there. 15:18:33	15 A. I'll take your word for it. 15:20:53
16 Q. Do you see the first sentence, 15:18:34	16 Q. Do you recall we were discussing 15:20:57
17 Mr. Hochman, says "You will not and will 15:18:36	17 the passage in the middle where it says 15:20:59
18 not assist or permit any third party to 15:18:38	18 "What Google considers PII," and there's a 15:21:01
19 pass information to Google that Google 15:18:40	19 list which includes "e-mail addresses, 15:21:04
20 could use or recognize as personally 15:18:42	20 mailing addresses, phone numbers, precise 15:21:07
21 identifiable information"? 15:18:46	21 locations (such as GPS coordinates - but 15:21:11
22 Did I read that correctly? 15:18:47	22 see the note below) and full names or 15:21:15
23 A. Yes. 15:18:49	23 usernames"? 15:21:17
24 Q. Do you see the third sentence? 15:18:54	24 Do you see that? 15:21:18
25 It says "You must post a Privacy Policy 15:18:56	25 A. Yes. 15:21:21
Page 567	Page 569

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<p>1 Q. Further below, do you see where 15:21:24  2 it says "Google interprets PII to exclude, 15:21:26  3 for example," and then the third bullet 15:21:28  4 lists IP addresses; do you see that? 15:21:30  5 A. Yes. 15:21:34  6 Q. Okay. You can put that document 15:21:37  7 to the side. 15:21:40  8 Mr. Hochman, are you an 15:21:46  9 economics expert? 15:21:48  10 A. I present myself as an expert in 15:21:50  11 the Internet marketing, Internet security 15:22:00  12 and Internet technology. And to the 15:22:01  13 extent that economics would intersect with 15:22:02  14 those areas, then those intersections 15:22:06  15 could be covered by either -- either kind 15:22:09  16 of expertise. 15:22:12  17 I don't hold myself out as a 15:22:13  18 general expert in economics. 15:22:17  19 Q. Have you ever worked as an 15:22:18  20 economist? 15:22:20  21 A. I've worked in various business 15:22:22  22 roles in -- in financial positions, but I 15:22:24  23 don't hold myself out as an expert in 15:22:30  24 economics. 15:22:33  25 Q. Would you regard yourself as an 15:22:34  Page 570</p>	<p>1 So that's, I think, going to 15:23:44  2 the -- the thing I addressed before about 15:23:47  3 sometimes topics will be at the 15:23:50  4 intersection of two different kinds of 15:23:53  5 expertise. 15:23:55  6 BY MR. ANSORGE:: 15:23:55  7 Q. And are you offering an opinion 15:23:58  8 on this case on Google's business model? 15:24:01  9 MR. MAO: Objection, vague. The 15:24:03  10 document speaks for itself. 15:24:07  11 Sorry. Go ahead. 15:24:07  12 A. Sure. I mean, I'm not sure 15:24:09  13 exactly what you mean by "business model," 15:24:10  14 but I have offered the opinions in my 15:24:12  15 report, and my expertise is sufficient to 15:24:14  16 cover the opinions in my report. And I am 15:24:17  17 familiar with how Google operates and how 15:24:21  18 they make money selling Internet 15:24:25  19 advertising. 15:24:30  20 BY MR. ANSORGE:: 15:24:30  21 Q. And are you offering an opinion 15:24:31  22 in this case on Google's business 15:24:32  23 infrastructure? 15:24:35  24 A. That sounds like it's further 15:24:38  25 afield, but it depends how you're going 15:24:40  Page 572</p>
<p>1 expert in damages? 15:22:36  2 A. I occasionally am asked to 15:22:39  3 provide opinions that will form the basis 15:22:42  4 of a damages model, so some of the inputs. 15:22:45  5 I can make calculations about, for 15:22:48  6 example, the cost of a marketing campaign 15:22:52  7 or the value of some traffic. 15:22:54  8 So I can make that kind of 15:22:57  9 analysis, but I don't hold myself out as a 15:22:59  10 general purpose economic damages expert, 15:23:05  11 no, and that's not my role in this case. 15:23:08  12 Q. Are you offering an opinion in 15:23:11  13 this case on what type of information is 15:23:17  14 valuable to Google? 15:23:20  15 A. I think that -- 15:23:22  16 MR. MAO: Objection. Sorry, 15:23:23  17 objection, vague. 15:23:24  18 Go ahead. 15:23:25  19 A. Yeah, I mean, I've offered the 15:23:26  20 opinions that are in my reports, and I 15:23:27  21 think I may have explained the reasons why 15:23:29  22 certain information would be valuable to 15:23:33  23 Google and how Google would use it in 15:23:36  24 their Internet marketing advertising 15:23:39  25 provision. 15:23:42  Page 571</p>	<p>1 to -- maybe you've used some different 15:24:42  2 words that you're trying to refer to 15:24:44  3 something that's in my report. 15:24:46  4 So I am not here admitting -- I 15:24:47  5 don't think I'm talking about that, but 15:24:52  6 I'm not suggesting that something in my 15:24:54  7 report should be knocked out. I'm not 15:24:57  8 giving that to you. I'm not conceding 15:24:59  9 that. 15:25:01  10 Q. Mr. Hochman, are you offering an 15:25:02  11 opinion on the costs Google incurs to 15:25:05  12 generate revenue? 15:25:08  13 MR. MAO: Objection, vague, 15:25:09  14 document speaks for itself. 15:25:11  15 Go ahead. 15:25:13  16 A. I don't recall whether I have 15:25:16  17 said something about that, but if you have 15:25:19  18 any questions about that, you know, feel 15:25:24  19 free to address them to me, and I'll see 15:25:26  20 if I can answer or not. 15:25:29  21 BY MR. ANSORGE:: 15:25:29  22 Q. Are you aware of any passage in 15:25:32  23 your report where you opine on the costs 15:25:33  24 Google incurs to generate revenue? 15:25:36  25 MR. MAO: Objection, vague, the 15:25:38  Page 573</p>

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1 document speaks for itself. 15:25:42	1 with Mr. Lasinski. 15:27:37
2 A. I -- you know, the report has 15:25:45	2 BY MR. ANSORGE:: 15:27:39
3 its contents and the rebuttal has its 15:25:47	3 Q. Mr. Hochman, do you have any 15:27:41
4 contents. I don't specifically recall 15:25:50	4 understanding of what unique monthly 15:27:42
5 something about that, but if it's in 15:25:53	5 private browsing instances are or 15:27:44
6 there, it stands. 15:25:56	6 abbreviated as UMPBI? 15:27:46
7 BY MR. ANSORGE:: 15:25:56	7 A. I mean, those words together 15:27:52
8 Q. Do you opine on Google's 15:26:01	8 make sense to me. 15:27:54
9 measures to save costs at all? 15:26:02	9 Q. Is this the first time you've 15:27:57
10 MR. MAO: Objection, vague, the 15:26:06	10 heard those words put together? 15:27:59
11 document speaks for itself. 15:26:08	11 A. I think I've heard discussions 15:28:02
12 A. I think I may have mentioned 15:26:10	12 about that, you know, browser instances, 15:28:04
13 something about that with regard to the 15:26:11	13 monthly browser instances. I think I've 15:28:06
14 [REDACTED] 15:26:13	14 heard that discussed. 15:28:09
15 [REDACTED] 15:26:17	15 Q. What is your understanding of 15:28:13
16 [REDACTED] 15:26:19	16 what unique monthly private browsing 15:28:14
17 [REDACTED] 15:26:22	17 instances are? 15:28:16
18 [REDACTED] 15:26:24	18 A. I mean, I don't think I used it 15:28:20
19 [REDACTED] 15:26:27	19 in my report so I don't really -- I don't 15:28:22
20 So I'm not going to guarantee 15:26:28	20 really think it's for me to -- to define 15:28:25
21 that I've never mentioned the word "cost," 15:26:31	21 it. 15:28:27
22 but I -- I don't think that's really been 15:26:33	22 Maybe if you give it to me in 15:28:28
23 the focus of my reports. 15:26:35	23 the context of a document or a usage, that 15:28:29
24 BY MR. ANSORGE:: 15:26:35	24 would be appropriate, but I don't really 15:28:32
25 Q. Mr. Hochman, are you familiar 15:26:38	25 like to define something just out of thin 15:28:34
Page 574	Page 576
1 with a term muling, M-U-L-I-N-G? Does 15:26:39	1 air. Like even in a spelling bee, you can 15:28:36
2 that mean anything to you? 15:26:44	2 always ask for the word to be used in a 15:28:40
3 A. Are you talking about money 15:26:47	3 sentence. 15:28:42
4 muling, or are you talking about something 15:26:48	4 Q. Are you aware of any evidence 15:28:44
5 else? 15:26:52	5 that suggests that Google maintains data 15:28:46
6 Q. What is your understanding of 15:26:52	6 that links monthly private browsing 15:28:48
7 muling, M-U-L-I-N-G? 15:26:53	7 instances to an individual? 15:28:50
8 A. I'm not sure what you're 15:26:56	8 MR. MAO: Objection, asked and 15:28:52
9 referring to. You should just go ahead 15:26:57	9 answered, the document speaks for 15:28:55
10 and define it. 15:26:59	10 itself. 15:28:55
11 Q. Did you explain or discuss 15:27:01	11 A. I mean, I think that there's a 15:28:58
12 muling with Mr. Lasinski? 15:27:02	12 whole bunch of log files and, in theory, 15:29:00
13 A. I don't recall discussing muling 15:27:05	13 it might be possible to calculate that 15:29:02
14 with anyone. 15:27:11	14 from the log files. I also know that 15:29:04
15 Q. Mr. Hochman, did you represent 15:27:11	15 there are a bunch of log files that I 15:29:06
16 to Mr. Lasinski that it is valuable for 15:27:13	16 haven't been allowed to look at. So 15:29:08
17 Google to know the length of time a user 15:27:16	17 that's an unknown unknown. 15:29:10
18 browses? 15:27:18	18 BY MR. ANSORGE:: 15:29:10
19 A. I don't remember. 15:27:23	19 Q. And putting that unknown unknown 15:29:13
20 Q. You can't recall one way or the 15:27:30	20 to the side, Mr. Hochman, is it your 15:29:15
21 other whether you discussed this with 15:27:31	21 understanding that there is a direct 15:29:17
22 Mr. Lasinski? 15:27:33	22 relationship between the unique monthly 15:29:19
23 A. I -- 15:27:35	23 private browsing instances and the amount 15:29:23
24 MR. MAO: Objection, vague. 15:27:35	24 of data Google collects? 15:29:24
25 A. I don't remember discussing that 15:27:36	25 A. Zoom just dropped out at the 15:29:27
Page 575	Page 577

## CONFIDENTIAL

<p>1 beginning of your question. Could you 15:29:29</p> <p>2 just ask it again? 15:29:30</p> <p>3 Q. Yes. I was saying in putting 15:29:31</p> <p>4 that unknown unknown to the side, 15:29:34</p> <p>5 Mr. Hochman, is it your understanding that 15:29:36</p> <p>6 there's a direct relationship between the 15:29:37</p> <p>7 unique monthly private browsing instances 15:29:40</p> <p>8 and the amount of data Google collects? 15:29:42</p> <p>9 A. I'm not sure. I don't think 15:29:45</p> <p>10 I've analyzed that question yet. 15:29:47</p> <p>11 Q. Would it be fair to say you 15:29:50</p> <p>12 don't have an opinion one way or the 15:29:52</p> <p>13 other? 15:29:54</p> <p>14 A. I'll just say that I haven't 15:29:54</p> <p>15 expressed an opinion on that yet. 15:29:56</p> <p>16 Q. Would you say that you're an 15:29:57</p> <p>17 expert on the search and browsing patterns 15:30:00</p> <p>18 of users? 15:30:06</p> <p>19 A. I think that that's a little 15:30:07</p> <p>20 broad, and it depends what within it -- I 15:30:08</p> <p>21 might have some expertise. It again 15:30:11</p> <p>22 depends on what specific question you have 15:30:14</p> <p>23 in that area. 15:30:16</p> <p>24 Q. Mr. Hochman, would you consider 15:30:21</p> <p>25 the scenario in -- the following scenario, 15:30:22</p> <p style="text-align: right;">Page 578</p>	<p>1 A. Yes. 15:31:39</p> <p>2 Q. I believe you stated that 15:31:39</p> <p>3 multiple users on a device is an edge 15:31:42</p> <p>4 case. 15:31:46</p> <p>5 Do you recall that? 15:31:47</p> <p>6 A. It depends on, I think -- 15:31:49</p> <p>7 multiple users on a device is something 15:31:52</p> <p>8 that could happen. Maybe you can go back 15:31:54</p> <p>9 and give me the exact testimony so I can 15:31:58</p> <p>10 be clear. 15:32:01</p> <p>11 I think that you were talking 15:32:02</p> <p>12 about multiple users who had the same user 15:32:03</p> <p>13 agent string. Yeah, there may have been 15:32:06</p> <p>14 some further qualifications there. 15:32:07</p> <p>15 Q. So you stated yesterday that 15:32:11</p> <p>16 even if you had one of these edge cases 15:32:13</p> <p>17 where, for example, the IP address user 15:32:16</p> <p>18 agent string leads back to a computer with 15:32:20</p> <p>19 multiple users, that sort of edge case 15:32:22</p> <p>20 even then, the other information that's 15:32:26</p> <p>21 part of that investigation will generally 15:32:28</p> <p>22 disambiguate. 15:32:32</p> <p>23 Does that help refresh your 15:32:33</p> <p>24 recollection about that topic? 15:32:34</p> <p>25 A. Yes. Yeah, I -- now I 15:32:37</p> <p style="text-align: right;">Page 580</p>
<p>1 I'll explain it to you, in which a user 15:30:26</p> <p>2 who's in private browsing mode and they're 15:30:27</p> <p>3 not signed in to their Google account, and 15:30:29</p> <p>4 they then visit www.google.com and 15:30:32</p> <p>5 complete a search, would you consider such 15:30:36</p> <p>6 a scenario to be an edge case? 15:30:39</p> <p>7 A. A Google's -- the user is in a 15:30:44</p> <p>8 private browsing session, they're not 15:30:47</p> <p>9 logged in, they go to Google.com and 15:30:49</p> <p>10 conduct a search. 15:30:53</p> <p>11 Q. That's correct. 15:30:57</p> <p>12 A. I don't think I could call that 15:30:58</p> <p>13 an edge case because Google.com is a 15:30:59</p> <p>14 pretty heavily used website. 15:31:02</p> <p>15 Q. Did you express any opinion 15:31:05</p> <p>16 about this to Mr. Lasinski? 15:31:07</p> <p>17 A. I don't recall expressing an 15:31:12</p> <p>18 opinion to him. I'm not sure -- maybe 15:31:13</p> <p>19 you're framing it differently than 15:31:18</p> <p>20 something I said to him. 15:31:20</p> <p>21 Q. Over the course of the last two 15:31:30</p> <p>22 days, Mr. Hochman, you've referred to 15:31:32</p> <p>23 "edge case" or "edge cases" a number of 15:31:34</p> <p>24 times. 15:31:38</p> <p>25 Do you recall that? 15:31:38</p> <p style="text-align: right;">Page 579</p>	<p>1 understand what -- what that was. So, 15:32:38</p> <p>2 yes, I -- I stand by that testimony. 15:32:39</p> <p>3 Q. You also testified about bots 15:32:44</p> <p>4 being an edge case. You recall that? You 15:32:48</p> <p>5 were talking about an edge case where 15:32:50</p> <p>6 somebody creates a bot that uses their 15:32:52</p> <p>7 logged-in activity to do something that 15:32:55</p> <p>8 runs their browser or uses their browser 15:32:58</p> <p>9 cookies, that's an edge case. 15:33:00</p> <p>10 Do you recall that? 15:33:02</p> <p>11 A. Yes. That wouldn't be the -- 15:33:02</p> <p>12 the -- a bot operating in the browser as 15:33:05</p> <p>13 opposed to a separate bot not in the 15:33:10</p> <p>14 browser, that -- that would probably be an 15:33:12</p> <p>15 edge case. I mean, of course, there are a 15:33:15</p> <p>16 lot of bots on the Internet. That's 15:33:16</p> <p>17 different. I'm not referring to Google 15:33:19</p> <p>18 bot or Bing bot or any of these other bots 15:33:20</p> <p>19 that are running around. 15:33:24</p> <p>20 I'm talking about somebody 15:33:26</p> <p>21 running a browser plug-in that automates 15:33:27</p> <p>22 some tasks. There's browser plug-ins you 15:33:29</p> <p>23 can get that automate repetitive tasks in 15:33:33</p> <p>24 the browser. 15:33:37</p> <p>25 Q. And in your opinion, the other 15:33:37</p> <p style="text-align: right;">Page 581</p>

## CONFIDENTIAL

<p>1 4:16 p.m. Thank you. 16:16:51</p> <p>2 MR. MAO: Can I get an expedited 16:16:55</p> <p>3 copy? 16:16:57</p> <p>4 THE COURT REPORTER: And a 16:17:06</p> <p>5 rough? 16:17:06</p> <p>6 MR. MAO: Yes, please. 16:17:06</p> <p>7 (Time noted: 4:16 p.m.)</p> <p>8</p> <p>9 _____</p> <p>10 JONATHAN HOCHMAN</p> <p>11</p> <p>12 _____</p> <p>12 Subscribed and sworn to</p> <p>13 before me this _____</p> <p>13 day of _____ 2022.</p> <p>14 _____</p> <p>14 Notary Public</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p style="text-align: right;">Page 614</p>	<p>1 JONATHAN HOCHMAN</p> <p>2 jonathan@hochmanconsultants.com</p> <p>3 July 26, 2022</p> <p>4 RE: BROWN VS GOOGLE LLC</p> <p>5 JULY 21, 2022, JONATHAN HOCHMAN, VOLUME II, JOB NO 5312353</p> <p>6 The above-referenced transcript has been</p> <p>7 completed by Veritext Legal Solutions and</p> <p>8 review of the transcript is being handled as follows:</p> <p>9 __ Per CA State Code (CCP 2025 520 (a)-(e)) – Contact Veritext</p> <p>10 to schedule a time to review the original transcript at</p> <p>11 a Veritext office</p> <p>12 __ Per CA State Code (CCP 2025 520 (a)-(e)) – Locked PDF</p> <p>13 Transcript - The witness should review the transcript and</p> <p>14 make any necessary corrections on the errata pages included</p> <p>15 below, notating the page and line number of the corrections</p> <p>16 The witness should then sign and date the errata and penalty</p> <p>17 of perjury pages and return the completed pages to all</p> <p>18 appearing counsel within the period of time determined at</p> <p>19 the deposition or provided by the Code of Civil Procedure</p> <p>20 __ Waiving the CA Code of Civil Procedure per Stipulation of</p> <p>21 Counsel - Original transcript to be released for signature</p> <p>22 as determined at the deposition</p> <p>23 __ Signature Waived – Reading &amp; Signature was waived at the</p> <p>24 time of the deposition</p> <p>25</p> <p style="text-align: right;">Page 616</p>
<p>1 CERTIFICATION</p> <p>2</p> <p>3 I, BELLE VIVIENNE, a Nationally</p> <p>4 Certified Realtime Reporter, do hereby</p> <p>5 certify:</p> <p>6 That the witness whose testimony as</p> <p>7 herein set forth, was duly sworn by me;</p> <p>8 and that the within transcript is a true</p> <p>9 record of the testimony given by said</p> <p>10 witness.</p> <p>11 I further certify that I am not</p> <p>12 related to any of the parties to this</p> <p>13 action by blood or marriage, and that I am</p> <p>14 in no way interested in the outcome of</p> <p>15 this matter.</p> <p>16 IN WITNESS WHEREOF, I have hereunto</p> <p>17 set my hand this 26th day of July 2022.</p> <p>18</p> <p>19 <i>Belle Vivienne</i></p> <p>20 BELLE VIVIENNE, CKR, CCR, RPR</p> <p>21</p> <p>22 * * *</p> <p>23</p> <p>24</p> <p>25</p> <p style="text-align: right;">Page 615</p>	<p>1 __X_Federal R&amp;S Requested (FRCP 30(e)(1)(B)) – Locked .PDF</p> <p>2 Transcript - The witness should review the transcript and</p> <p>3 make any necessary corrections on the errata pages included</p> <p>4 below, notating the page and line number of the corrections.</p> <p>5 The witness should then sign and date the errata and penalty</p> <p>6 of perjury pages and return the completed pages to all</p> <p>7 appearing counsel within the period of time determined at</p> <p>8 the deposition or provided by the Federal Rules.</p> <p>9 __ Federal R&amp;S Not Requested - Reading &amp; Signature was not</p> <p>10 requested before the completion of the deposition.</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p> <p style="text-align: right;">Page 617</p>

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1 RE: BROWN VS. GOOGLE LLC 2 JONATHAN HOCHMAN, VOLUME II, JOB NO. 5312353 3 ERRATA SHEET 4 PAGE____ LINE____ CHANGE_____ 5 _____ 6 REASON_____ 7 PAGE____ LINE____ CHANGE_____ 8 _____ 9 REASON_____ 10 PAGE____ LINE____ CHANGE_____ 11 _____ 12 REASON_____ 13 PAGE____ LINE____ CHANGE_____ 14 _____ 15 REASON_____ 16 PAGE____ LINE____ CHANGE_____ 17 _____ 18 REASON_____ 19 PAGE____ LINE____ CHANGE_____ 20 _____ 21 REASON_____ 22 _____ 23 _____ 24 WITNESS Date 25 _____	

Page 618

65 (Page 618)

Federal Rules of Civil Procedure

Rule 30

(e) Review By the Witness; Changes.

(1) Review; Statement of Changes. On request by the deponent or a party before the deposition is completed, the deponent must be allowed 30 days after being notified by the officer that the transcript or recording is available in which:

(A) to review the transcript or recording; and

(B) if there are changes in form or substance, to sign a statement listing the changes and the reasons for making them.

(2) Changes Indicated in the Officer's Certificate. The officer must note in the certificate prescribed by Rule 30(f)(1) whether a review was requested and, if so, must attach any changes the deponent makes during the 30-day period.

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THE ABOVE RULES ARE CURRENT AS OF APRIL 1, 2019. PLEASE REFER TO THE APPLICABLE FEDERAL RULES OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

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Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

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